



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/407,430	09/29/1999	HOWARD J. WORMAN	0575/54805	2750

7590 06/17/2003
JOHN P WHITE
COOPER & DUNHAM LLP
1185 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

EXAMINER

NGUYEN, QUANG

ART UNIT PAPER NUMBER

1636

DATE MAILED: 06/17/2003

24

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
--------------------------------	-------------	---------------------------------------------------	---------------------

09/407430

09/29/99

Norman et al.

0575/54805

EXAMINER

Quang Nguyen

ART UNIT

PAPER

1636

24

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please see attached Notice of Non-Responsive Amendment

Notice of Non-Responsive Amendment

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 55-76 have been renumbered 57-78.

Accordingly, new claims 57-78 are pending in the present application.

Continued Examination Under 37 CFR 1.114

Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on March 26, 2003. The submission, however, is not fully responsive to the prior Office action because the newly added claims 57-78 are drawn to a non-elected invention involving a method of identifying a compound which inhibits the binding of hepatitis C virus envelope E2 protein to a cellular protein associated with hepatitis C virus attachment onto cells and a method for determining whether a compound can be used for treating or preventing hepatitis C virus infection in a subject, classified in class 435, subclass 7.1, for example. Claims 57-78 are not under consideration because (a) they are directed to a non-elected invention, (b) it is improper to change invention in RCE which is not a new filing (37CFR 1.145). Therefore, Applicants must submit claims directed to the elected invention.


Art Unit: 1636

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang Nguyen, Ph.D., whose telephone number is (703) 308-8339.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's mentor, Gerald Leffers, Jr., Ph.D., may be reached at (703) 305-6232, or SPE, Remy Yucel, Ph.D., at (703) 305-1998.

Quang Nguyen, Ph.D.


PATENT EXAMINER
Gerald G. Leffers Jr.
4.4.1636